

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

**DECLARATION OF CHRISTOPHER
D. PHAM IN SUPPORT OF
DEFENDANTS' MOTION TO
COMPEL DISCOVERY**

FEDERAL INSURANCE COMPANY,
an Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

Defendants.

I, Christopher D. Pham, declare as follows:

1. I am an attorney at Fredrikson & Byron, P.A. and am one of the attorneys representing Defendants Federal Insurance Company and Ace American Insurance Company in this case.

2. Attached as **Exhibit 1** is true and correct copy of Plaintiff Fair Isaac Corporation's Second Supplemental Answers to Defendant's Interrogatory Nos. 6-9, dated April 23, 2018.

3. Attached as **Exhibit 2** is true and correct copy of Defendant's First Set of Requests for Production of Documents to Fair Isaac Corporation, dated April 18, 2017.

4. Attached as **Exhibit 3** is true and correct copy of excerpts from the William Waid 30(b)(6) deposition taken on January 16, 2019.

5. Attached as **Exhibit 4** is true and correct copy of FICO0057386 (Global Price List).

6. Attached as **Exhibit 5** is true and correct copy of excerpts from the William Waid 30(b)(6) deposition taken on April 2, 2019.

7. Attached as **Exhibit 6** is true and correct copy of Defendants' Third Set of Requests for Production of Documents to Fair Isaac Corporation, dated December 28, 2018.

8. Attached as **Exhibit 7** is true and correct copy of FICO0000208 – FICO0000228 (FICO-Chubb 2006 Agreements).

9. Attached as **Exhibit 8** is true and correct copy of Defendant's Second Set of Requests for Production of Documents to Fair Isaac Corporation, dated November 12, 2018.

10. Attached as **Exhibit 9** is true and correct copy of Plaintiff Fair Isaac Corporation's Responses to Defendant's Requests for Production of Documents, dated May 18, 2017.

11. Attached as **Exhibit 10** is true and correct copy of Plaintiff Fair Isaac Corporation's Responses to Defendants' Second Requests for Production of Documents, dated December 12, 2018.

12. Attached as **Exhibit 11** is true and correct copy of FICO0038508-FICO0038514 (Oracle).

13. Attached as **Exhibit 12** is true and correct copy of FICO0016269-FICO0016285 (Dell).

14. Attached as **Exhibit 13** is true and correct copy of FICO0015524-FICO0015554 (Xerox).

15. Attached as **Exhibit 14** is true and correct copy of FICO0057876-FICO0057885 (Siemens).
16. Attached as **Exhibit 15** is true and correct copy of Plaintiff Fair Isaac Corporation's Answers to Defendants' Third Set of Interrogatories, dated March 22, 2019.
17. Attached as **Exhibit 16** is true and correct copy of Defendants' Fourth Set of Requests for Production of Documents to Fair Isaac Corporation, dated February 20, 2019.
18. Attached as **Exhibit 17** is true and correct copy of FICO0031816 (Verizon).
19. Attached as **Exhibit 18** is true and correct copy of the Xerox Corporation Subpoena to Produce Documents, dated February 21, 2019.
20. Attached as **Exhibit 19** is true and correct copy of the Dell USA L.P. Subpoena to Produce Documents, dated February 21, 2019.
21. Attached as **Exhibit 20** is true and correct copy of the Aetna Life Insurance Company Subpoena to Produce Documents, dated February 21, 2019.
22. Attached as **Exhibit 21** is true and correct copy of the Oracle America, Inc. Subpoena to Produce Documents, dated February 21, 2019.
23. Attached as **Exhibit 22** is a true and correct copy of various correspondence between counsel indicating a production date of April 1, 2019.
24. Attached as **Exhibit 23** is true and correct copy of ORCL_FICO00000012-ORCL_FICO00000013.

25. Attached as **Exhibit 24** is true and correct copy of ORCL_FICO00000040-ORCL_FICO00000041.

26. Attached as **Exhibit 25** is true and correct copy of ORCL_FICO00000171-ORCL_FICO00000173.

27. Attached as **Exhibit 26** is true and correct copy of ORCL_FICO00000052-ORCL_FICO00000053.

28. Attached as **Exhibit 27** is true and correct copy of Federal's Renewed and Second Amended Notice of 30 (b)(6) Deposition of Plaintiff Fair Isaac Corporation, dated February 5, 2019.

29. Attached as **Exhibit 28** is true and correct copy of Plaintiff Fair Isaac Corporation's First Amended Response to Interrogatory No. 20, dated April 1, 2019.

30. Attached as **Exhibit 29** is true and correct copy of Plaintiff Fair Isaac Corporation's Responses to Defendants' Third Requests for Production of Documents, dated January 28, 2019.

31. Attached as **Exhibit 30** is a true and correct copy of deposition exhibit 82.

32. Attached as **Exhibit 31** is a true and correct copy of deposition exhibit 108.

33. Attached as **Exhibit 32** is a true and correct copy of deposition exhibit 230.

34. Attached as **Exhibit 33** is a true and correct copy of deposition exhibit 231.

35. Attached as **Exhibit 34** is true and correct copy of Plaintiff Fair Isaac Corporation's Responses to Defendants' Fourth Requests for Production of Documents, dated March 22, 2019.

36. Attached as **Exhibit 35** is true and correct copy of FICO0022942-FICO0022944 (Electronic Data Sys).

37. Attached as **Exhibit 36** is true and correct copy of FICO0033081-FICO0033106 (VNU Capital-PD Financial).

38. Attached as **Exhibit 37** is true and correct copy of FICO0016441-FICO0016458 (Software AG).

39. Attached as **Exhibit 38** is true and correct copy of FICO0014316-FICO0014318 (First Data Corp).

40. Attached as **Exhibit 39** is true and correct copy of FICO0011439-FICO0011440 (Nat'l Bureau of Credit Histories).

41. Attached as **Exhibit 40** is true and correct copy of FICO0011372-FICO0011376 (Ness-Amdocs).

42. Attached as **Exhibit 41** is true and correct copy of FICO0007337-FICO0007348 (Discover).

43. Attached as **Exhibit 42** is true and correct copy of FICO0009142-FICO0009143 (Safeco).

44. Attached as **Exhibit 43** is true and correct copy of FICO0009711-FICO0009713 (Aetna).

45. Attached as **Exhibit 44** is true and correct copy of FICO0015319-FICO0015472 (Cencosud Banco Paris).

46. Attached as **Exhibit 45** is true and correct copy of FICO0016706-FICO0016707 (Wells Fargo).

47. Attached as **Exhibit 46** is true and correct copy of FICO0019362-FICO0019370 (Bank of America).
48. Attached as **Exhibit 47** is true and correct copy of FICO0028231-FICO0028232 (Trizetto).
49. Attached as **Exhibit 48** is true and correct copy of the FICO0028919-FICO0028923 (Safeco).
50. Attached as **Exhibit 49** is true and correct copy of FICO0032299-FICO0032317 (Expedia).
51. Attached as **Exhibit 50** is true and correct copy of FICO0039526-FICO0039529 (Express Scripts).
52. Attached as **Exhibit 51** is true and correct copy of FICO0048229-FICO0048272 (CVS).
53. Attached as **Exhibit 52** is true and correct copy of FICO0051552-FICO0051555 (Catamaran).
54. Attached as **Exhibit 53** is a true and correct copy of deposition exhibit 392.
55. Attached as **Exhibit 54** is a true and correct copy of selected excerpts from the transcript for the Rule 30(b)(6) deposition of Thomas Caretta, dated March 2, 2019.
56. Attached as **Exhibit 55** is a true and correct copy of deposition exhibit 60.
57. Attached as **Exhibit 56** is a true and correct copy of deposition exhibit 310.
58. Attached as **Exhibit 57** is a true and correct copy of deposition exhibit 73.
59. Attached as **Exhibit 58** is a true and correct copy of deposition exhibit 47.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: April 5, 2019

s/ Christopher D. Pham

Christopher D. Pham

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